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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,809	02/14/2001	Gary D. Deen	9204-7	1717

7590 08/26/2004
WAGNER, MURABITO & HAO LLP
TWO NORTH MARKET STREET
THIRD FLOOR
SAN JOSE, CA 95113

EXAMINER

FAROOQ, MOHAMMAD O

ART UNIT	PAPER NUMBER
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2182

10

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,809

Applicant(s)

DEEN ET AL.

Examiner

Mohammad O. Farooq

Art Unit

2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11, 12, 29, 30, 41 and 42 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 13-15, 19-21, 23, 31-33 and 35 is/are rejected.
- 7) ☒ Claim(s) 4, 6-10, 16-18, 22, 24-28, 34 and 36-40 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 1-3, 19-21, and 31-33 are rejected under 35 U.S.C. 102(a) as being anticipated by Lawman, U.S. Pat. No. 6,049,222.
2. Claims 5,23, and 35 are rejected under 35 U.S.C. 102(a) as being anticipated by Dunlop et al. U.S. Pat. No. 6,721,872 B1.
3. As to claim 1, Lawman teaches method of configuring a communication port for communication with a device, comprising the steps of :
 - providing a memory module having communication port configuration data that is associated with the device stored thereon (col. 10, lines 19-34);
 - associating the memory module with the communication port (col. 10, lines 19-34); and
 - configuring the communication port based on the communication port configuration data stored on the memory module (col. 10, lines 19-34).

4. As to claim 2, Lawman teaches wherein the memory module is a non-volatile memory module cartridge (col. 10, lines 19-34).

5. As to claim 3, Lawman teaches steps of associating the memory module with the communication port comprises the steps of:

associating a memory module slot with the communication port (items 1420 and 1450, fig. 14); and

inserting the non-volatile memory cartridge into the memory module slot (inherent; fig. 14)

6. As to claim 19, Lawman teaches system for configuring a communication port for communication with a device, comprising :

means for providing a memory module having communication port configuration data that is associated with the device stored thereon (col. 10, lines 19-34);

means for associating the memory module with the communication port (col. 10, lines 19-34); and

means for configuring the communication port based on the communication port configuration data stored on the memory module (col. 10, lines 19-34).

7. As to claim 31, Lawman teaches computer program product for configuring a communication port for communication with a device, comprising : a computer readable storage medium having computer readable program code embodied therein, the computer readable program code comprising:

computer readable program code for providing a memory module having communication port configuration data that is associated with the device stored thereon (col. 10, lines 19-34);

computer readable program code for associating the memory module with the communication port (col. 10, lines 19-34); and

computer readable program code for configuring the communication port based on the communication port configuration data stored on the memory module (col. 10, lines 19-34).

8. As to claim 5, Dunlop et al. teach method of controlling a first device by a second device via communication with a network translation device, comprising the steps of:

determining at the network translation device if the first device has functionality that is controllable via a first protocol (inherent; abstract); and

sending first device functionality information from the network translation device to the second device via the first protocol if the first device has functionality that is controllable via the first protocol (inherent; abstract).

9. As to claim 23, Dunlop et al. teach system for controlling a first device by a second device via communication with a network translation device, comprising:

means for determining at the network translation device if the first device has functionality that is controllable via a first protocol (inherent; abstract); and

means for sending first device functionality information from the network translation device to the second device via the first protocol if the first device has functionality that is controllable via the first protocol (inherent; abstract).

10. As to claim 35, Dunlop et al. teach computer program product for controlling a first device by a second device via communication with a network translation device, comprising:

a computer readable storage medium having computer readable program code embodied therein, the computer readable program code comprising:

computer readable program code for determining at the network translation device if the first device has functionality that is controllable via a first protocol (inherent; abstract); and

computer readable program code for sending first device functionality information from the network translation device to the second device via the first protocol if the first device has functionality that is controllable via the first protocol (inherent; abstract).

11. Claims 20, 32 have similar limitations as method claim 2. Lawman teaches method as set forth in claim 2. Therefore, Lawman also teaches system as set forth in claim 20 and computer program product as set forth in claim 32.

12. Claims 21 and 33 have similar limitations as method claim 3. Lawman teaches method as set forth in claim 3. Therefore, Lawman also teaches system as set forth in claim 21 and computer program product as set forth in claim 33.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawman, U.S. Pat. No. 6,049,222 in view of Dunlop et al., U.S. Pat. No. 6,721,872 B1.

14. As to claim 13, Lawman teaches a network translation device, comprising:
a communication port (col. 11, lines 9-12) ;
a memory module having communication port configuration data stored thereon, the memory module being associated with the communication port (col. 10, lines 35-47); and
memory module that configures the communication port based on the communication port configuration data stored on the memory module (col. 10, lines 19-34).

Lawman does not teach a processor. Dunlop et al. teach a processor (item 14, fig. 1). However, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Lawman and Dunlop et al. because that would provide host device to communicate with the selected network (col. 2, lines 21-45).

15. As to claim 14, Lawman teaches wherein the memory module is a non-volatile memory module cartridge (col. 10, lines 19-34).

16. As to claim 15, Lawman teaches data associated with functionality provided by a first device stored on the memory module (col. 19-65).

Allowable Subject Matter

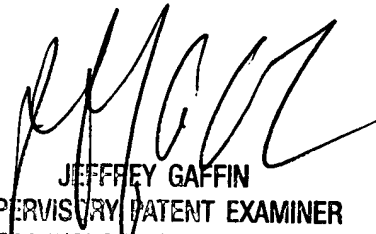
17. Claims 11,12, 29, 30, 41 and 42 are allowed.

18. Claims 4,6-10, 16-18, 22, 24-28, 34, 36-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad O. Farooq whose telephone number is (703) 305-3888. The examiner can normally be reached on 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Mohammad O. Farooq
July 23, 2004